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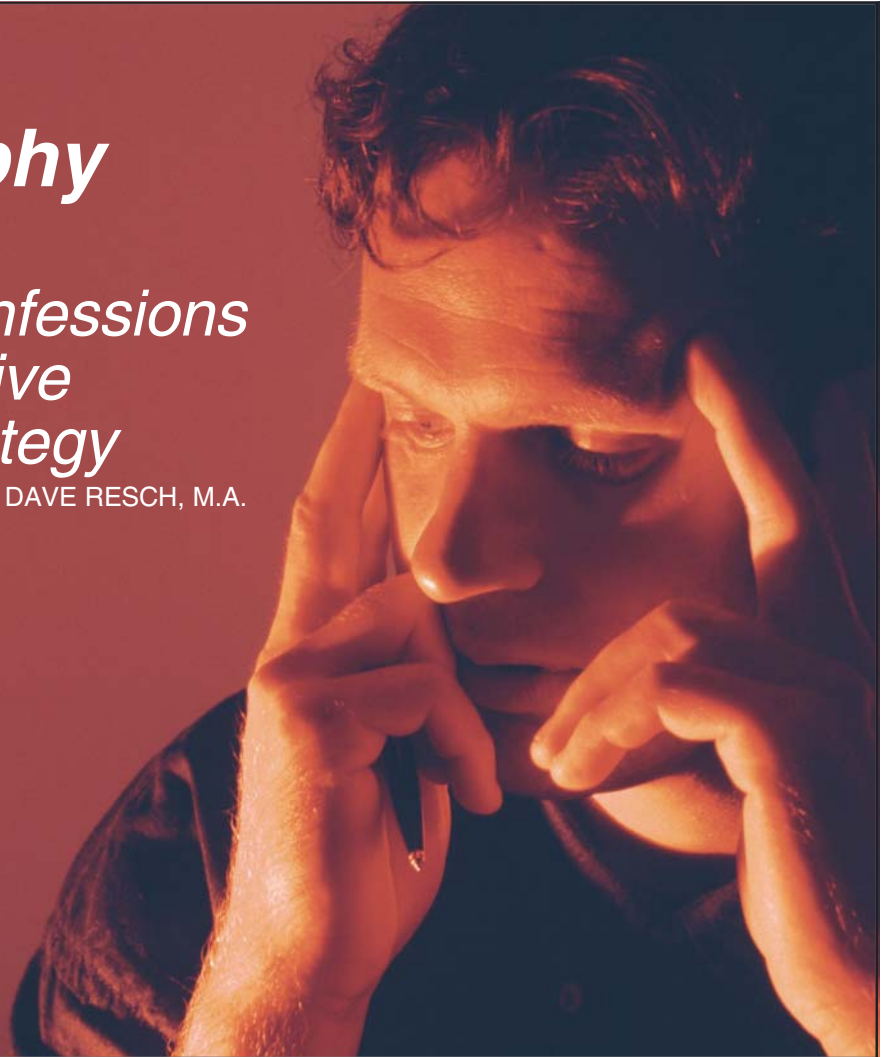
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# ***Child Pornography Cases***

## ***Obtaining Confessions with an Effective Interview Strategy***

By RANDY BOWLING, M.S., and DAVE RESCH, M.A.



© John Foxx Images

**A**n effective interview strategy is paramount in gaining a confession during a child pornography investigation. But, interrogative techniques can prove difficult because they require the exhibition of compassion for individuals that investigators may consider contemptible. Developing a comprehensive interviewing strategy will make investigators feel more comfortable at the critical initial stages of the

interview and increase the likelihood of eliciting a confession.<sup>1</sup>

Most subjects in child victimization image cases are preferential sex offenders—many of these individuals have molested children; however, their backgrounds often do not identify a molestation conviction. While most of the subjects possess and distribute child pornography, only a few produce it. Further, child pornographers are increasingly

using the Internet to facilitate their criminal activities.<sup>2</sup> The following interview strategy has proven successful when dealing with preferential sex offenders in child pornography cases.<sup>3</sup>

### **Investigative Interview Preparation**

In addition to basic investigative practices, investigators can prepare for a successful interview strategy by obtaining information from the FBI's

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Innocent Images National Initiative program, search warrants, and informants or witnesses. Investigators should obtain personal information regarding the subject's marital status, criminal and employment history, and, especially, community service because many subjects actively seek occupations and volunteer opportunities where contact with children is certain to occur. Further, investigators can conduct ruse telephone calls, as well as trash and mail covers, to determine whether the subject listed on a particular Internet account under investigation actually resides at a specific residence. These types of thorough preparation increase the probability of gaining a confession. Once confronted by

investigators, the subject will know that his illegal activities have been discovered and thoroughly investigated.<sup>4</sup>

### **Initial Approach**

After investigators show appropriate identification and detail the purpose of the interview to the subject, they should state their accusation. A direct accusation statement must be convincing in its delivery. Typically, the suspect then will deny involvement and protest his innocence. If the subject states his denial (e.g., "I didn't do it"), investigators immediately should interrupt him. For example, they can turn their heads, possibly raising their hands with palms facing the subject in a dismissive motion. Investigators should remember

that denial by the guilty usually weakens over time, whereas an innocent person likely will become more enraged at each accusation of criminal activity. The subject also may protest his innocence through such statements as "I could not have done this; I am a religious man" or "I would not have done that; what would my family think?" Investigators should not interrupt these types of protests because they usually are based, in part, on the truth. Following the subject's protests, investigators should incorporate these partial truths into the interrogation process by using statements, such as "I'm glad to hear you say that; I know you're a good man" or "You are a religious man who is devoted to his family." After clearly accusing the suspect, interviewers should detail evidence against the individual. Further, investigators should follow the accusation, denials, and protests with a series of theme-development strategies.

### **Theme Development**

Many child pornography suspects fear that their activities will be revealed. Therefore, investigators should address this concern through theme development as they approach the interview. Interrogation themes consist of rationalizing the crime, projecting blame onto others, and minimizing



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the offense (RPMs). Investigators can use the following examples as a guide in theme development:

- Rationalization: “I understand your situation; you love kids so much that you were just reaching out to help any way you could. Things just got out of hand.”
- Projection of blame: “The problem is that parents do not spend enough time with their children. Once neglected, kids will do anything for attention.”
- Minimization: “We’re not talking about hurting children here. We’re only talking about a few photographs. You’ve never harmed anyone.”

Investigators should avoid judgmental terms during the presentation of RPMs to preclude an eventual molestation confession. After presenting RPMs, investigators should look for signs of receptivity by the subject, such as crying, bowing the head, averting the eyes, taking deep breaths, and slouching, suggesting that the individual wants to admit his involvement in the crime. Once investigators observe signs of receptivity, they should offer a reason to confess, which deals with the subject’s present situation and offers him hope. For example, “I know things have gotten out of hand despite

your best efforts, but now is your opportunity to stand up, be a man, and do the right thing for these kids and your family.”

Once investigators have given the subject a reason to confess, they can present a bad-good option, initially presenting a choice unacceptable (or bad) to the subject followed by an acceptable (or good) one. The bad-good option leads the subject toward either a partial or full confession. For instance,

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***...investigators must respond with compassion and understanding....***

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investigators can make statements, such as “Either you’re a monster who preys on little children or you just possess a few photographs of kids. Which is it?” If the suspect rejects the bad-good option, investigators then should start anew with RPMs, looking again for signs of receptivity before presenting a reason to confess and another bad-good option. Investigators can use the following example to structure a child pornography interrogation:

Mr. Doe, my name is Agent Smith, FBI, and this is a warrant from a federal judge

ordering me to conduct a search of your property for child pornography. I know that you possess child pornography. This is not an arrest warrant. I am not putting handcuffs on you, and you are not in custody. We are not interviewing your wife at work, and, as you can see, we are not knocking on your neighbors’ doors. Nor have your family and friends been contacted at this time. Right now, this matter is between you and me. I have no interest in contacting anyone else until we talk. Child pornography has been detected on your computer, and, shortly, I will show you a sample of the captured images. I will do this so that you can assure me that these are children simply from the Internet and not kids you are hurting in the neighborhood. My primary concern today is to determine if any children in the neighborhood are being harmed. My priority today is to identify any child who may need help.

These statements establish that investigators 1) are not the adversary; 2) have no doubt that the subject possesses child pornography; 3) already have conducted surveillance of the subject’s computer; 4) potentially have sparked the subject’s

### Case Examples of Investigators Successfully Using Various Themes to Obtain Child Pornography Confessions

Subject #1 possessed, distributed, and produced pornography in conjunction with four other subjects who were members of a volunteer search and rescue group. He embraced the theme that the children he was assaulting were not babies or virgins and that in the end, he was trying to help them financially. Investigators allowed the subject to blame the children's parents for lack of affection and attention, which the children subsequently sought from him. At the interview, all five subjects provided confessions; four pled guilty and one was convicted at trial. Subject #1 thanked investigators for being decent and professional during their initial approach. The empathy shown to him successfully elicited his confession and cooperation.

Subject #2 was an unmarried male elementary school teacher who quickly admitted to the possession of child pornography. Under the progressive method of obtaining the complete confession, the teacher admitted to a sexual desire for the boys in his class. He then admitted that every time he touched, hugged, comforted, or consoled a child in his class, he felt sexually stimulated. He progressively confessed that the only reason he became a teacher was to have access to young boys.

Subject #3 was a divorced, 45-year-old male employed as a manager of a halfway house. He quickly confessed to possessing and then distributing child pornography.

Then, investigators presented the scenario of the possibility of computer examiners finding alarming material and gave the subject the opportunity to explain that material up front. Subject #3 admitted that bathtub pictures of his daughters might be found. Further, he admitted that he was having sex with his daughters and videotaping the acts. He led investigators to the tapes and disks.

Subject #4, a 20-year-old female, initially confessed to possessing child pornography. Progressively, she admitted to involvement in the production of child pornography. Ultimately, she confessed to seducing a 35-year-old woman to gain access to the woman's 12-year-old daughter and using that girl and other minor females for sex and the production of child pornography.

Subject #5 possessed 30,000 images of child sexual victimization and was involved in distribution. He was a 45-year-old white male, a geological engineer, and married with two teenage boys. He admitted that he spent hours each evening downloading child pornography and masturbating. He confessed while rationalizing that he was not harming children, just feeding his sexual desire for children via the Internet. Subject #5 was a prior Boy Scout troop leader. He admitted at the end of the interview that the lack of condemnation and the validation of his long-held rationalizations aided in his willingness to confess. He pled guilty.

interest in viewing some of the evidence; and 5) have minimized the child pornography as being less serious than harming children. Although the subject

may molest neighborhood children, the goal at this time is to achieve admissions through the usage of interrogative techniques as a foundation for

the full confession. Investigators should continue to present RPMs and observe the subject to give him a reason to confess and a bad-good option.



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We both know that things have gone on too long and cannot continue. It's time to put an end to this and move on. I have worked these cases for years and have dealt with two types of people: those who hate and hurt children and are utterly evil, and others who honestly care about children and are affectionate toward them, but get caught up in a mess they need help getting out of. I don't think you're evil. But, I have to leave here today convinced that while I know you are looking at pictures of kids on the Internet and masturbating, you are not a monster living in the middle of an unsuspecting neighborhood. Are you hurting the neighborhood children or just downloading Internet child porn for your own sexual needs in the privacy of your own home?

Investigators have given the subject the option of confessing to the crime or confessing to being a monster, not the option of denying the crime. The admission of masturbation or other sexual activity connected to the child pornography is important—subjects may be detained based on their admissions that they actively used the child pornography in a sexual way, thereby creating a threat to their communities.

Often, at this stage, the subject will admit to the crime and latch onto the minimization offered by the investigator. Numerous cases have occurred where the subject blurts, "I don't have sex with children; I just download pictures and masturbate." Often, investigators must respond with compassion and understanding, suggesting that all men look at porn and that it was not the subject's choice to have a preference for

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***...confessions keep communities and residents safe by ensuring that subjects no longer can victimize innocent children.***

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children. Once they obtain the initial confession, investigators then can continue to build on the same interview strategy to acquire details regarding the extent of the subject's criminal activity.

### **Confessions**

Investigators should build from initial to complete confession. From possession to distribution to production, investigators should guide the subject to

progressively admit the more serious violations. Scenarios, such as "Is there anything my computer examiners will find alarming on your computer that we can clear up now? Pictures of kids in your class? Pictures of kids in the bathtub?" may lead to an admission. If so, investigators should press forward, inquiring about the possibility of finding pictures of the offender with the children in situations not designed to harm the children. Investigators should have the subject initial the images, verifying those that came from the Internet versus children in his neighborhood. The subject then reinforces his confession in his attempt to deny activity with children. Then, investigators should address the topic of actual contact with children and identify victims with the intent of distinguishing the subject's "young friends." The subject likely will identify children he has not molested, but those children can be interviewed later to identify their friends who may be victims.

With these admissions, investigators should remember the increased significance of child pornography as peripheral material in other violent crimes. This method has resulted in the progressive admissions of individuals, starting with the possession of pornography and ending with the confession that

## Elements of Interrogation

### Convincingly Accuse the Suspect

- Tell the suspect you are aware he is involved in the crime.
- Show case facts and refer to real or implied evidence to convince the suspect of the futility of denial.
- Observe the suspect's reaction. If he denies involvement, restate the accusation. If the suspect makes no denial, this is a strong indicator of guilt.

### Interrupt Denials by the Suspect

- Interrupt and prevent any additional denial attempts.
- Realize that the guilty's attempts at denial will weaken; the innocent's will get stronger and angrier.
- Tell the suspect it is his turn to listen.

### Provide Reasons to Confess

- Tell the suspect why he committed the crime: rationalize, project, minimize (RPMs).
- Conduct a monologue with the subject if possible.
- Give acceptable reasons for the suspect to admit the truth.
- Remember that patience, persistence, and pater are the keys to success.

### Redirect Protests

- Understand that protests are reasons for innocence that the suspect provides.
- Realize that usually only the guilty will present protests because denials have failed.
- Remember that protests usually have some factual basis and, therefore, can be defended comfortably by the suspect; do not try to refute them.

- Accept the protest and incorporate it into providing reasons to confess.

### Prevent Mental Withdrawal

- Recognize that withdrawal often is a response to failure of the denials and protests.
- Move closer and use the suspect's name; force the suspect to listen.
- Present a sincere demeanor.

### Watch for Signs of Receptivity

- Observe telltale signs, mostly nonverbal in nature (e.g., subject establishing barriers, drooping his head, leaning his body forward, crying).
- Reduce reasons to confess to a succinct concept.

### Present a Bad-Good Option

- Describe one option despicable in nature.
- Present another acceptable option that follows with the reasons provided to confess.
- Suggest that the suspect's actions were based on the good option, rather than the bad.
- Ask the suspect to confirm this suggestion (a mere nod of the head will suffice).
- Begin to elicit the confession if confirmed. Spend more time developing the RPMs and reasons to confess if denied.

Investigators must refine and personalize this template for each subject. It has proven most successful with preferential sex offenders who have not been through the criminal justice system. Investigators may contact the FBI's Behavioral Analysis Unit at 703-632-4400 for assistance with interview and investigative strategies, trial assistance, and expert warrants and testimony.

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Source: Edgar M. Miner, "The Importance of Listening in the Interview and Interrogation Process," FBI Law Enforcement Bulletin, June 1984, 12-16.

the only reason the subject became an elementary school teacher was to have access to young boys. Additionally, this approach has gained initial admissions of possession, progressing to the subject eventually leading investigators to the videos and disks documenting a subject's sexual assault of his own daughter. Investigators should avoid displaying judgment and anger. Rather, they should show sympathy, understanding, patience, and acceptance, allowing the subject to offer any excuses and explanations along with admissions.

## Conclusion

Children are at increased risk for crime victimization.<sup>5</sup> Child sexual victimization cases often prove mentally overwhelming even to the most seasoned investigator; compassion for subjects in these cases is difficult, but developing a plan for the investigative interview can lead to quicker resolutions to cases.

Investigators often can obtain confessions in child pornography investigations using constructive interrogative techniques. By carefully conducting investigative interview preparation; using an effective initial approach; developing a theme (rationalizing, projecting blame, and minimizing); pursuing a progressive confession; and identifying victims, agencies increase the likelihood that

they will elicit admissions from guilty subjects. Confessions eliminate lengthy trial preparations, help the case rapidly move to sentencing,<sup>6</sup> and allow the investigators to move on to another assignment, focusing critical resources in other directions. Further, confessions keep communities and residents safe by ensuring that subjects no longer can victimize innocent children. ♦

## Endnotes

<sup>1</sup> For a more in-depth discussion of the characteristics and traits of subjects in child pornography investigations, refer to Kenneth V. Lanning, National Center for the Analysis of Violent Crime, *Sexual Victimization of Children* (FBI Academy, 2000).

<sup>2</sup> Philip Jenkins, *Beyond Tolerance: Child Pornography on the Internet* (New York, NY: New York University Press, 2001); Carlos A. Arnaldo, *Child Abuse and the Internet: Ending the Silence* (New York, NY: United Nations Educational, Scientific and Cultural Foundation and Berghahn Books, 2001); and Heather Jacobson and Rebecca Green, "Computer Crimes," *American Criminal Law Review* 39 (Spring 2002): 225.

<sup>3</sup> The authors based this article on their experiences investigating child pornography cases. They recommend that investigators tailor this strategy as needed to particular cases and use it in conjunction with other interrogation methods.

<sup>4</sup> For illustrative purposes and to maintain clarity, the authors employ masculine pronouns for subjects.

<sup>5</sup> D. Finkelhor and R. Ormrod, *Child Abuse Reported to the Police*, May 2001, retrieved on July 13, 2004, from <http://ojjdp.ncjrs.org/publications>.

<sup>6</sup> R.A. Leo, "Inside the Interrogation Room," *Journal of Criminal Law and Criminology* 86, no. 2 (1996): 266-304.

## Wanted: Notable Speeches

**T**he *FBI Law Enforcement Bulletin* seeks transcripts of presentations made by criminal justice professionals for its Notable Speech department. Anyone who has delivered a speech recently and would like to share the information with a wider audience may submit a transcript of the presentation to the *Bulletin* for consideration.

As with article submissions, the *Bulletin* staff will edit the speech for length and clarity, but, realizing that the information was presented orally, maintain as much of the original flavor as possible. Presenters should submit their transcripts typed and double-spaced on 8 1/2- by 11-inch white paper with all pages numbered. When possible, an electronic version of the transcript saved on computer disk should accompany the document. Send the material to:

Editor, *FBI Law Enforcement Bulletin*  
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Madison Building,  
Room 201  
Quantico, VA 22135  
telephone: 703-632-1952,  
e-mail: [leb@fbiacademy.edu](mailto:leb@fbiacademy.edu)



## ***MassMostWanted An Online Tool for Law Enforcement***

By William G. Brooks III, M.A.

**S**ince early 2002, a partnership has existed between the banking and law enforcement communities of Massachusetts. The Bank Robbery Working Group, consisting of Massachusetts Bankers Association (MBA) executives and bank security officers joined by representatives from the FBI, Massachusetts State Police, Massachusetts Chiefs of Police Association, and the Boston and Wellesley Police Departments, has explored ways to prevent bank robberies and apprehend subjects responsible for committing these crimes in the state.

The effectiveness of the working group is evidenced, in part, by the centerpiece of its efforts, *www.MassMostWanted.org*. This easy-to-use Web site provides a central source of information pertaining to subjects and their crimes and serves the community as a whole—from the uniformed police officer to the civilian who may recognize someone on the street from a picture posted on the site.

### **The Web Site**

Because many bank robbers are serial offenders, catching them after the first or second robbery serves as a primary goal of law enforcement agencies, as this prevents future occurrences. Many of these individuals become photographed, so officers who disseminate the pictures widely enough often learn the identities of subjects and capture them.

Before computer use became common, investigators mailed photographs to counterparts in other jurisdictions or traveled to show the pictures in person. Facsimile machines allowed officers to distribute images widely, but the quality of the pictures suffered.

Upon the arrival of the Internet, investigators began scanning photographs and e-mailing them to

other officers. As more banks updated their surveillance cameras by installing digital systems, this process became easier and more effective. Unfortunately, only people on the e-mail lists received these pictures.

The working group recognized the need for a Web-based solution that served the entire state. Four officers from the Wellesley and Westwood Police Departments designed MassMostWanted, an easy-to-use Web site with an easy-to-remember name, for law enforcement and the general public. While bank robberies generally make up a large portion of the cases posted on MassMostWanted, the site also features crimes, such as fraud, assault, and other types of thefts.

Each page of MassMostWanted features 15 thumbnail photographs of criminals caught in the act by surveillance cameras. By clicking on each image, the user can view the “case page,” which includes a larger version of the picture, any available additional images, a description of the offense (including date, time, and location), and the name and telephone number of the investigator. A “tool box” on the screen allows the viewer to e-mail a tip to the officer or send the page to a friend. Investigators update the case status when they obtain a subject’s identity; out of concern that criminals can check the site, authorities normally do not add this information until they have the individual in custody. In one instance, officers did not even have to identify a subject; after seeing his picture on MassMostWanted, the individual became frightened and turned himself in, even bringing the money with him.

Recent upgrades include new search and data collection capabilities. Users now can navigate MassMostWanted’s numerous cases according to desired criteria. For instance, an officer investigating a bank robbery can browse by gender, complexion, and type of crime. Further, civilians can search the site for occurrences in their own cities.

Users also can subscribe to a newsletter—an e-mail containing cases added since the previous edition; this feature allows recipients to stay

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abreast of investigations posted on the site without even logging on. However, because MassMostWanted requires little time to browse, many people prefer to check the site for updates. Often, law enforcement officers and bank security officials set it as their home page.

Law enforcement personnel investigating bank robberies rely on MassMostWanted as a standard investigative tool. In addition to using it to help identify subjects, officers have found that they can link robberies throughout the region. Also, authorities have received important tips from the public—even within a few days of a crime—because photos of robbers become posted on the site daily. On one occasion, a rail commuter recognized an individual from the Web site and alerted the nearest officer, who arrested the subject on the spot.

### **The Tip Program**

In 2002, as the working group prepared for MassMostWanted to go online, the MBA reactivated a program that—before going dormant for several years—provided funds for cash rewards to citizens who helped identify a bank robber and for payments to confidential informants who worked with authorities on bank robbery cases. Funded by member banks and administered by the MBA and the Worcester County Fraudulent Check Association, the MassMost-Wanted Tip Program is advertised on every case page of the Web site pertaining to a bank robbery. When police departments submit documentation attesting that a citizen has provided information leading to the arrest of a subject, the program provides the funds to the agency.

### **The Network**

The success of MassMostWanted has drawn interest from authorities outside Massachusetts. Shortly after it went online, police departments

from bordering states began sending investigations for inclusion on the Web site. For a time, MassMostWanted staff posted some of those cases. However, concern arose that because the site's primary focus on Massachusetts gave users an expectation that they may recognize a subject, posting investigations from other states could diminish that anticipation and, thus, discourage use of MassMostWanted.

The officers who administer the Web site determined that they could replicate it elsewhere at less expense as the design work already was done. Therefore, MassMostWanted staff approached representatives in other states. Soon, Maine-MostWanted was up and running. Additionally, New Hampshire now has its site online and Rhode Island shortly will follow. These sites are linked together, with access

provided by a “drop-down box.” And, they look and function alike—which makes them equally user-friendly.

### **Conclusion**

Together, the banking and law enforcement communities of Massachusetts continue to fight bank robberies in the state. One of the successes of this partnership is the Web site *www.Mass-MostWanted.org*, an important tool that officers have come to rely on and that other states have begun to replicate. This central, easy-to-use source of information pertaining to these crimes serves investigators and citizens alike and continues to prove its value in the fight against bank robberies. ♦

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*Deputy Chief Brooks serves with the Wellesley, Massachusetts, Police Department.*

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## Video Reviews

**Autism and Law Enforcement**, produced by Dennis Debbaudt and directed by Dave Legacy, April 2004.

The video *Autism and Law Enforcement* provides a quick and engaging education in autism that can help increase safety for both officers and individuals with autism, as well as minimize the potential for litigation that could occur as a result of a misunderstanding. Interviews and vignettes involving people with autism concretely convey the reality of how challenging they can be to interact with and how vulnerable to crime and exploitation they are. Approximately 1 in every 250 children born will be affected by some form of autism, a developmental disability that usually appears before the age of 3. Each will have difficulty interacting socially and communicating, which will challenge police attempting to help them or investigate crimes.

The first challenge is recognizing that someone has autism. Only about 50 percent of people with autism speak, and they do so in non-conventional ways. In one segment of the video, a young woman speaks rapidly, stringing together her address and phone number as a result of rote memorization. People with autism typically lack social skills and an understanding of societal norms. Consequently, others may perceive them as belligerent. This is demonstrated in a segment with a young man who seems to mock an officer when he repeats back the officer's exact words and commands due to an associated behavior called echolalia.

The video also illustrates how open to suggestion autistic individuals can be when interviewed. Four young adults are questioned individually about *Miranda* and their understanding of its meaning. When asked if they would "waive their rights," all four, with tentative smiles on their faces, raise their right or left hand to wave at the interviewer. This literal interpretation, as

well as the desire to please others, can create confusion for investigators.

The segment on restraint and arrest highlights risks associated with physical control. People with autism typically lack the understanding that continued struggling may require officers to use a higher level of force to restrain them. Lights and sirens can create too much sensory input, causing even greater problems with communication and control. Approximately 40 percent of people with autism have seizures, which stress can trigger. Additionally, they may have underdeveloped trunk muscles making them unable to support their airways, which creates a high potential for positional asphyxia.

The 21-minute video has a break to accommodate viewing at two roll calls. It provides an accurate start in broadening the understanding of autism, which can only serve to increase officers' safety and that of people with autism. After viewing this video, officers will be better equipped to consider autism when assessing behavior during personal encounters. Officers who take the initiative to become acquainted with the people in their communities who have autism will be even more prepared. The video's producer has an adult son with autism and is a committed advocate for people with autism and a friend of law enforcement. His realistic expectations, belief in police officers' skills and well-meaning intentions, and interest in the safety of officers and people with autism come through with sincerity. To obtain ordering information, readers should call 772-398-9756 or visit <http://www.risingbird.net/asr/email.html>.

Reviewed by  
Mary Otto  
Oregon Police Corps  
Boring, Oregon

**Autism and Law Enforcement**, produced by Dennis Debbaudt and directed by Dave Legacy, April 2004.

Chief executives in the 21st century face incredible challenges meeting training needs of their respective agencies. Since September 11, 2001, federal, state, and local training mandates have warranted tremendous attention for chief executives. Nonetheless, meeting the seemingly endless needs of other in-service training issues cannot be ignored. Short-duration videos viewed at roll calls represent one avenue law enforcement agencies can consider to meet training requirements. This type of media provides officers with the latest techniques and information on any number of subjects that do not necessarily require a hands-on approach.

My review of *Autism and Law Enforcement*, a 21-minute video, not only enlightened me as a police chief but made me immediately recognize it as a valuable resource for all law enforcement officers. The producer, a law enforcement veteran and father of a son with autism, maintains viewer interest by providing clear, concise bullet points about the nature of the disability; how officers should approach an individual with autism; and what to expect as a response from an officer's field interview.

After viewing the tape, I immediately recognized the importance of familiarizing officers with this particular disability. A startling statistic especially caught my attention: a greater likelihood exists for encountering a person with autism in an officer's daily assignments than that of many other forms of disability. Failure on the part of the officer to recognize the inherent characteristics of this

particular disability may result in an inappropriate response or, worse, an unnecessary arrest or excessive use of force.

The medical profession continues its efforts to identify the cause of autism. In the meantime, however, research had indicated that it is the fastest growing developmental disability in the United States, affecting 15 out of 10,000 people. It is four times more common in boys than in girls, and children are diagnosed within the first 3 years of life.

Because people with autism have a propensity to wander and sometimes do not respond to questions, they can be misjudged and viewed as suspicious in nature. Consequently, officers often fail to recognize some of the behavioral traits of an individual with autism when responding to calls for service. The sensory overload that the person experiences often is intensified by the officer's command presence, shiny badge, radio, and firearm. The officer's mere presence in an interview scenario may result in the person responding in a manner that is unfamiliar to the officer. The video provides invaluable lessons on how to identify, interview, and successfully resolve an encounter with such an individual.

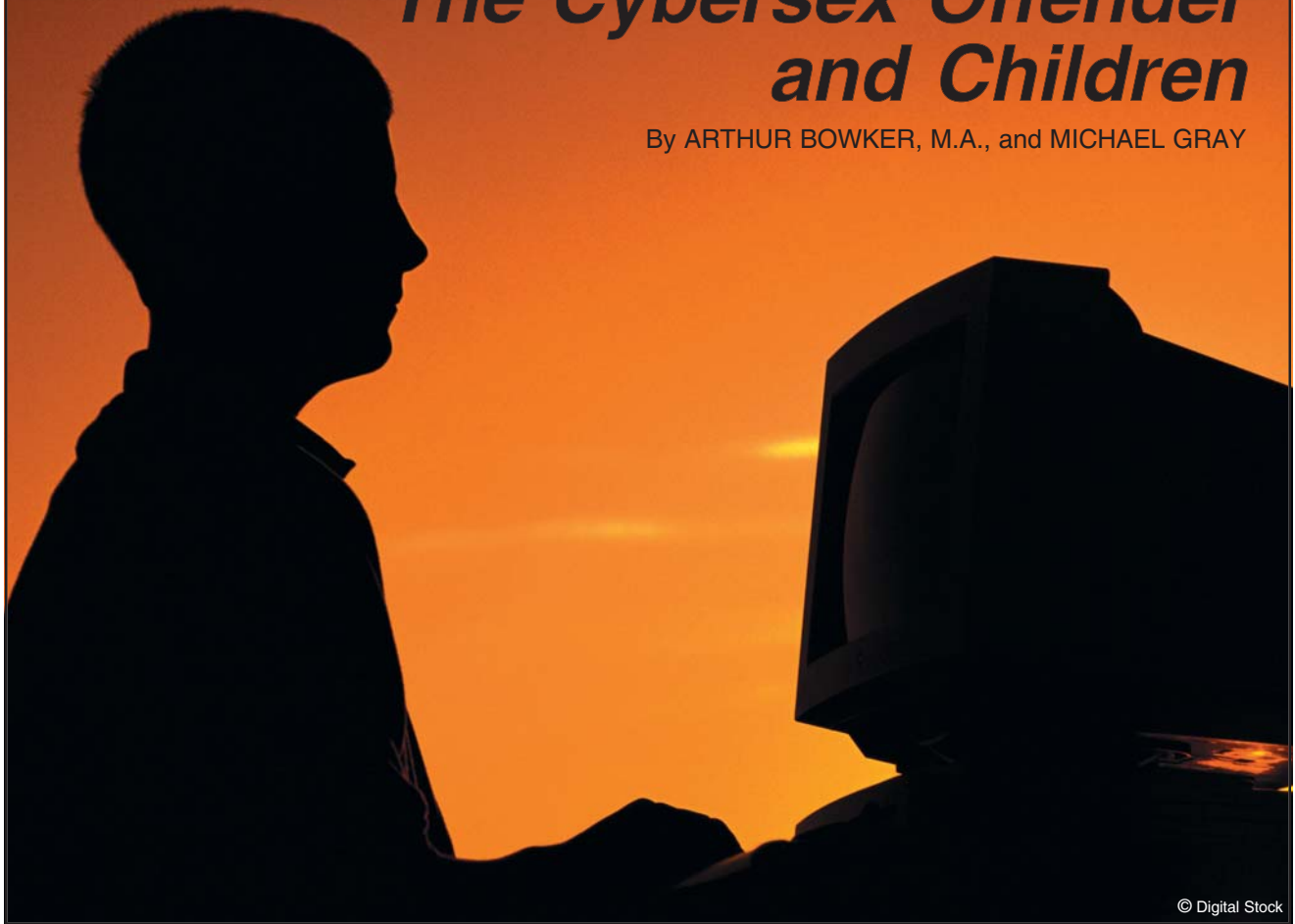
*Autism and Law Enforcement* is an excellent tool that can raise awareness to promote successful encounters with people who have autism. The complexities in the mission of today's street officer demand an astute response to the differing needs of citizens. This training video helps accomplish that goal.

Reviewed by  
John M. Skinner  
Chief, Port St. Lucie, Florida,  
Police Department



# *The Cybersex Offender and Children*

By ARTHUR BOWKER, M.A., and MICHAEL GRAY



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**T**he law enforcement community increasingly faces situations involving explicit chat discussions and other disturbing online activities that victimize minors. Officers encounter troubling images and dialogue during undercover operations, as well as other types of efforts, such as computer forensic examinations targeted at locating missing children.

Because of the capabilities that computers offer criminals

lurking in the Internet's shadows, these individuals are particularly threatening to the community. From the safety of their homes, pedophiles can use the Internet to anonymously and simultaneously prepare numerous children for future molestations. With the click of a mouse, child pornographers easily can distribute their collections to many other offenders or even to juveniles.

Cybersex offenders who target young people use computers

for purposes that may include viewing, storing, producing, sending, and receiving child pornography; contacting, grooming, and enticing juveniles for victimization; and communicating with (and, thus, helping to validate) each other. Upon their apprehension, these individuals often will attempt to justify their actions. Law enforcement officers must learn to identify and understand such offenders to effectively diffuse their defenses and lay the

groundwork for a successful prosecution.

## THE YOUNG VICTIM

A recent study of 1,501 Internet users ranging from 10 to 17 years of age revealed the following disturbing information:

- Approximately 1 in 5 received a sexual solicitation over the Internet in the past year.
- One in 33 experienced an aggressive approach—an individual who requested a meeting; telephoned; or sent regular mail, money, or gifts.
- One in 4 had unwanted exposure to explicit pictures in the past year.
- One in 17 faced threats or harassment.
- Youths reported less than 10 percent of sexual solicitations and only 3 percent of unwanted exposure episodes to authorities, such as law enforcement agencies, Internet service providers (ISP), and appropriate hotlines.<sup>1</sup>

Cybersex offenses have a lasting and, thus, devastating effect on victims. For instance, electronically maintained images do not deteriorate. They also can become dispersed easier, faster, and to a wider audience than hard copy materials. Once distributed on the Internet, they are harder to

retrieve and control. Because of these factors, digital pornographic images have a longer duration of harm for victims than nonelectronic materials.

Through the Internet, cybersex offenders can affect victims without any physical contact. Individuals easily can forward explicit images to juveniles. Subjects also can obtain innocent pictures of children via the Internet or other sources and then “morph” those images into pornography.<sup>2</sup> Until the pictures begin surfacing online, these juveniles may not become aware of this type of victimization.

Additionally, these offenders use electronic images, as they would with hard copy materials, of child pornography and even favorite cartoon characters engaged in sexual acts to encourage or entice

juveniles to participate in inappropriate conduct. This exposure serves to desensitize young people and make them think such behavior is normal.

For these victims, finding justice can prove difficult. Of course, no one country or authority governs the Internet’s content; issues of child pornography and exploitation frequently transcend jurisdictional boundaries. This causes not only legal problems but also difficulties for juveniles and their families when seeking redress.

## THE CYBERSEX OFFENDER

### Background

Research consistently revealed a troubling aspect of sex offenders—that they held responsibility for numerous victimizations beyond those for



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*Mr. Gray is a probation officer with the U.S. District Court, Northern District of Ohio Probation Office in Cleveland.*

which they were convicted. One study described a ratio of nearly 30 additional similar crimes to each offense.<sup>3</sup> Evidence also pointed to a comparative frequency of reoffending among individuals guilty of child pornography. Specifically, a study of 54 federal offenders convicted of possession or distribution found 1,371 victims of contact sexual crimes never detected by the criminal justice system.<sup>4</sup>

Offenders who misuse the Internet to commit lewd acts involving juveniles have found a sense of validation from one another. Before the advent of the Internet, individuals with deviant tendencies usually were isolated. Today, however, offenders feel normal because they see from chat rooms and Web sites that many other individuals have the same

interests. Thus, the behavior becomes reinforced, perhaps emboldening them to commit acts, such as sex with a child, in the real world.

Cybersex offenders find the computer and the Internet compelling tools in their deviant behavior for four general reasons. One, the Internet provides them with anonymity. They can communicate with whomever they want with little fear that someone will discover or identify them. Further, individuals can portray anyone (e.g., someone from the opposite sex, single, more attractive, less overweight, or similar in age to the victim) in their attempts to entice juveniles online.

Two, using computers, sex offenders can groom multiple victims not only over an extended period of time but simultaneously. Such activity

would prove harder and riskier to accomplish in the real world.

Three, digital equipment greatly enhances the ability to store, catalog, and retrieve the offender's collection. A computer can maintain thousands of pornographic files and keep them hidden from family members and employers yet readily available for the subject's viewing and other purposes.

Four, advanced technologies permit anyone to produce pornography. Offenders easily can morph innocent pictures into explicit ones; they even can put themselves into the images. These individuals also can take digital photos of their victims without worrying about the risks associated with having the film developed.

### Types of Offenders

Three types of offenders exist: 1) the dabbler (curious individuals with access to child pornography or to a dealer); 2) the preferential offender (the person with deviant sexual interests involving juveniles); and 3) the miscellaneous offender (pranksters or misguided individuals who possess these materials as a result of their own investigations).<sup>5</sup> Determining which category a subject falls under involves examining the files found in the offender's possession, the individual's equipment and ISP, the

#### Sample Online Chat

Man4y: Hi, babe!  
Girl11: Hi.  
Man4y: Are we still meeting tonight?  
Girl11: For sure! My parents think I am going to a friend's house.  
Man4y: Kool! I can't wait to be your first lover. Will pick you up in my blue truck at the mall at 5 p.m. I have a room reserved so we can explore together in private!

---

subject's online behavior, and the person's other activities. Looking at these areas—both individually and in conjunction with one another—helps to assess offenders' levels of deviance, diffuse any possible justifications for their actions (e.g., they downloaded them by accident, a hacker was responsible, it was just for fantasy, or they did not know it was child pornography), and, possibly, influence sentencing.

#### *Files*

Investigators should examine the files found in the offender's possession to gain insight into the subject's level of interest and deviancy and foreclose several defenses. Areas of consideration should include file quantity, themes, types, organization, locations, and uses.

Obviously, the quantity of files according to theme will reveal an individual's level of interest and deviancy in particular areas. Officers should compare the number of pornographic images containing children with the overall size of the subject's collection. And, authorities should see if the individual possesses violent materials (e.g., rape and torture themes); this provides further insight into what type of offender investigators are dealing with. In this regard, officers may find file names (e.g.,

child7rape) enlightening. Authorities also should consider the similarities (e.g., pertaining to a particular age group or fetish) among the images.

The types of files also prove important. Specifically, do they include still pictures (e.g., files with extensions of .jpg; .bmp; or .gif) or moving images (e.g., names ending in .avi or .mpg)? A collection of movies may indicate a deeper level of involvement as downloading these files requires more time and storage space.

“

***Because of the capabilities that computers offer... these individuals are particularly threatening to the community.***

”

A system of well-organized files also proves significant because it indicates active offender participation. For example, did the subject leave them in temporary Internet folders or intentionally save them in specific locations according to areas of interest?

Finally, how did the offender use the images (e.g., as masturbation material)? How many

files were sent to or received from others? Were they sent to juveniles? Did the subject use them to outdo others who collect child porn (i.e., to have a larger or better collection)? To barter for other types of materials (e.g., adult, incest, or fetish)? Did the individual sell child pornography? This information provides insight into the offender's involvement with the community of deviancy and may serve as a source of investigative leads (perhaps, to other offenders).

#### *Equipment and ISP*

An examination of offenders' equipment also provides insight into their activities. Top-of-the-line hardware (e.g., computers, scanners, and digital cameras) may reflect an interest in producing or viewing high-quality pornographic images. Large hard drives could reveal an individual's desire to store a library of image files, as they take a lot of space. State-of-the-art equipment not only provides faster access to images for viewing but the ability to produce and distribute child pornography as well.

An ISP also can reveal the offender's ability to download images. For instance, cable connections will offer faster Internet speeds and better capabilities to subjects than dial-up services. Certainly, an individual who spends a lot of



### Common Defenses

- I downloaded them by accident.
- I did not know it was child pornography.
- It was just fantasy. I never intended to have sex with a minor.
- I just had dirty pictures. I did not hurt anyone.
- A hacker put these files on my computer.
- I have them so I will not abuse children.

time downloading files with a slow service has demonstrated willingness and commitment in obtaining them.

#### *Online Behavior*

Investigators also must examine an offender's online activities. For instance, how many screen names does the subject use? Do any of them suggest some deviant interest? Does the individual have a screen profile? If so, what interests does it mention? Does it include the offender's photo? Is the profile accurate? Or, did the person provide false information (e.g., pertaining to age or gender) to entice the child?

Investigators also must consider how long the offender has had access to the Internet and, in that period, how much time the individual has spent online, particularly during hours when juveniles would be logged on (e.g., after school). Also, how many people communicated

with the offender? How many names were regular contacts (e.g., in a chat buddy list or in the e-mail address book), and did these include other adults or juveniles? If grown-ups, were they other individuals interested in child porn? How many messages, with and without attachments, did the subject send and receive? What were the offender's favorite Web sites, and did the individual pay for access to online porn? Did the subject use file-sharing programs to obtain and trade images?

What was discussed in messages and chats involving the offender? If involved with any meetings with juveniles or undercover officers, did the subject bring any suspicious items (e.g., digital cameras, condoms, sex toys, weapons, or drugs)? One chilling example involved an offender arrested in an undercover sting operation in which he brought a shovel, an

axe, gasoline, and garbage bags to his meeting with an investigator posing as a minor.

#### *Other Activities*

Officers also should examine the offender's real world activities. For instance, does the subject's current or prior employment involve juveniles? Has the person volunteered in activities involving children (e.g., coaching little league)? Does the individual reside near places where juveniles frequent or do children live in the home? Offenders who organize their lives around young people indicate that they may be drawn to minors and that additional victims may exist.

Also, does this person have an extensive record of foreign travel (perhaps, to a country that does not aggressively enforce laws prohibiting sex acts with minors)? And, does the individual's prior record include sex crimes? In this regard, probation and parole agencies increasingly use monitoring software and hardware that records released offenders' activities and, where appropriate, provides investigators with additional evidence as to a subject's online behavior.

### CONCLUSION

The cybersex offender poses a unique and troubling risk to juveniles. The law enforcement community must learn to fully

understand and investigate these individuals and their crimes. Knowledge of such predators' habits can serve as a crucial factor in diffusing possible defenses. Once investigators peel back these layers of deception and rationalization, they will reveal these subjects for who they really are and take a fundamental step in the successful prosecution of these cases and the protection of children—

both online and in the real world. ♦

#### Endnotes

<sup>1</sup> University of New Hampshire, Crimes Against Children Research Center, *Online Victimization: A Report on the Nation's Youth* (Durham, NH, 2000).

<sup>2</sup> Through morphing, an individual can combine one picture with another to create a new image.

<sup>3</sup> G. G. Abel, J. V. Becker, M. S. Mittelman, J. Cunningham-Rathner, J. L. Rouleau, and W. D. Murphy,

"Self-Reported Sex Crimes of Nonincarcerated Paraphiliacs," *Journal of Interpersonal Violence* 2, no. 6 (1987): 3-25.

<sup>4</sup> Andres E. Hernandez, *Self-Reported Contact Sexual Crimes of Federal Inmates Convicted of Child Pornography Offenses*, presentation given at the 19th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, San Diego, CA, November 2000.

<sup>5</sup> U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Use of Computers in the Sexual Exploitation of Children* (Washington, DC, 2000).

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## Notable Speech

### ***The Start of a New Lifestyle A Police Officer's Mission***

By Debbie Kuidis

**G**ood afternoon, graduates of the 89th cadet class, families, and friends. Thank you for asking me to be a part of your celebration. I will keep my comments brief because I know you all have waited 23 long, hard weeks to get your badges and to be called officers instead of cadets. I remember this day like it was yesterday, and I know your heart is beating just as hard as mine right now, but for different reasons. This is your day, but it is the honor of a lifetime for me to share it with you. I wanted to be a police officer ever since I was a child, and, as you can see, no matter how hard you try, when you retire, it never leaves your blood. It is a very personal mission—one that requires a deep commitment from the heart.

Before I direct my remarks solely to the 33 members of this class, I want to say something to the family and friends of these cadets because they also share your accomplishments today. They have encouraged you through these difficult months of training, and they will continue to stand by you and, in many ways, live the job as you live it. Family and friends, I know that your emotions are running wild right now, going from extreme pride to concern, but, let me assure all of you, this staff did everything possible to make sure that these new officers come home safe every night. For the families, there was no training for the nights of worry or the missed holidays. Today, you also become a part of the police family and all we ask is that you continue to give your love and support.

I also would like to relate a significant distinction that this class shares with no other in the history of the Albuquerque Police Department (APD). The 89th cadet class has the highest percentage of women in its graduating class. Thirteen members (40 percent) of those graduating today

are women, bringing the number of women in the department to 136, a 14 percent average, which is slightly above the national average of 13 percent. This class began on January 12 with 13 women and ended with 13 women. Just to give you something to strive for, there are 200 female police chiefs in the United States, one happens to be my current chief. She has been a police officer for 30 years, making her one of the pioneers who smoothed the waters for us as we continue to make our mark on this profession. But, this is not going to be a speech on gender because, as everyone knows, we wear the same uniform, complete the same training, and meet the same standards as the men in this class.

Another distinction is that this class began with 36 people and only lost 3. Losing only 3 cadets is unheard of, and I believe it speaks directly to the character of the men and women in this class.

Members of the 89th cadet class, today you begin a new career and a new life as an Albuquerque police officer. You have proven yourselves

*Commander Debbie Kuidis, a retired deputy chief of the Albuquerque, New Mexico, Police Department who currently serves with the University of New Mexico Police Department, delivered this speech at the Albuquerque Police Department recruit graduation exercises on June 18, 2004.*



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physically, emotionally, and psychologically prepared for one of the most demanding professions. You have the look of people who have chosen a calling and have faith that you can make a difference in people's lives. Don't ever lose that faith or desire. I want you to have that same look at your retirement party 20 years from now. Few people get the honor and privilege of serving their community as a police officer. To be successful, there must be a sincere partnership between law enforcement and the community. This alliance requires that you mutually care about, trust, and respect each other. You will witness the worst that a person can do to another. This will dishearten you, but remember the majority of the people we serve are honest, decent citizens. Do not let the few who are not influence your opinion of the community that is depending on you to protect it. You also will see the good in people, from acts of kindness to acts of courage. People will look up to you as their hero because what sets us apart is that we are expected to risk our lives, not only for each other but for a total stranger. Law enforcement is one of the more self-sacrificing occupations in society. Thousands of officers have given their lives for this profession—never blemish their reputations.

Not only is our fight against crime anymore; we have an additional focus that we never had before—the fight against terrorism. The events of September 11th have called upon us to make the world safe and free. You are guardians of freedom and our cherished freedom does not come without a price. You are what stands between good and evil, right and wrong. One month after the September 11th attacks, I went to New York to conduct grief counseling for the police officers and

firefighters of that city. I watched as they recovered bodies from the site. I watched as they cleaned up 1.6 million tons of debris that once was a living symbol of our dedication to world peace. I listened to story after story of loss. I went to police officer and firefighter funerals. It was painful for me to witness the horrific loss of life and destruction of property. I never will forget what happened that day, and it is a daily reminder of what my purpose is in life. And, don't ever think that it can't happen here. You always must be ready for what may come.

Albuquerque citizens have granted us a tremendous level of trust and responsibility, and they have a right to expect high standards from us. That trust has taken a lifetime to achieve, but it can take only seconds to destroy. Unfortunately, the public retains memories of bad incidents concerning police far longer than it remembers favorable ones. You were carefully chosen because APD believed you already had good values instilled in you since childhood. What you once knew to be right and wrong is still right and wrong. We all are expecting

you to do the right thing even when nobody is looking or, in these days, videotaping you. Trust me, it takes less time to do the right thing than to explain why you did it wrong. So, when you get out there on the street and you experience the expectations, the challenges, the discouragements, and the temptations and you forget what your academy instructors told you to do in a certain situation, just think back to the morals your family taught you and everything will work out on its own. The police academy can teach you a lot, but they can't teach you integrity, good judgment, or how to be compassionate. Either you have it or you don't and APD is betting its reputation that you have it.

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**...remember the majority of the people we serve are honest, decent citizens.**

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Someone once said, “If you have integrity, nothing else matters. If you don’t have integrity, nothing else matters.”

You always are expected to treat every single person with whom you come in contact, and I mean from the mayor to the homeless, with the utmost respect and dignity. We are reminded of this by the sentiment on former president Ronald Reagan’s crypt, which reads, “...there is purpose and worth to each and every life.” Now, I am not saying that all people you come into contact with will return the favor. There is a term known as “contempt of cop,” and you will know it the minute it happens to you. Someone is going to do something to disrespect you. We all have had it happen to us; but, I am telling you right now, let it go. Because if you don’t, you are going to do something you will regret. It’s not worth it. Master your anger. Rise above it. Besides, it’s not you personally they are disrespecting, it is what you represent.

This department also demands that you will never abuse your power or use excessive force. Abraham Lincoln said, “...if you want to test a

man’s character, give him power.” Your biggest and greatest weapon is not your gun—it’s your discretion. This profession calls for free thinking, open-mindedness, and innovation in responding to community needs. A U.S. Supreme Court justice said that an officer makes more decisions daily affecting the lives of people than a judge will in a week. Twenty years from now when you retire, it is not going to matter how many tickets you gave or arrests you made; what is going to matter was whether or not you compromised your integrity and how you did your job. Some of you will rise through the ranks and become supervisors, even chiefs, someday. Start being leaders and role models today. And, when you do get those stripes, bars, or stars, remember what my chief told me recently, “People should know what rank you are by the way you act, without even looking at your collar brass.”

In a few moments, you will raise your hand and repeat words contained in your oath of office. I have been where you are, and you are just so excited to be here that you don’t realize the impact of those words. Those words will change your life.

### **Commander Kuidis’ Guiding Principles**

- Do your job the way you were trained and don’t deviate from it.
- Have a blast; this is the best job in the world.
- Seek a balance between work and your home life, and don’t ever forget your family and loved ones because they will help you keep your sanity.
- Take care of each other.
- Don’t lie. Your word is everything in this profession. Mark Twain said, “If you tell the truth, you don’t have to remember anything.” You see, liars need good memories.
- Always have the courage to do the right thing. It’s been said that to know what is right and not do it is the worst cowardice.
- Don’t be lazy in the way you do your job. Everything you do is a self-portrait of who you are.
- Don’t ever embarrass the Albuquerque Police Department.

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You are promising that the words in the police officer code of ethics will govern not only how you will conduct yourself on duty but how you live your life off duty as well. Some officers think that once they take that uniform off, they can do whatever they want. That's absolutely not true. I know that you had classes on the code of ethics, but I am going to read you parts of the code of ethics again. That's how important it is to you from this day forward and it never hurts for all of us to hear them again. Don't just listen to the words, remember them, feel them, live them. This is your promise to the community.

My fundamental duty is to protect the weak against oppression and serve all people of this

community without regard to their status, sex, race, religion, political beliefs, or sexual preference. I will not engage in any act of corruption or bribery, and I will maintain a level of integrity in both my private and my professional life, which will be above reproach. I recognize the badge of my office as a symbol of public faith, dedicating myself before God to my chosen profession—law enforcement.

I get the chills every time I read that. You see, this is not a job, and it's not even a career. It is a lifestyle. Leave this community a better place for what you have done and who you have been. ♦

## ***Unusual Weapon***

### ***Pager-Style Gun***

This pager-style gun is a metal firearm in a plastic grip. It is a .22-caliber revolver that fires five shots and is designed with a clip to be carried on a belt or in a pocket.



# Bulletin Reports

## Crime

The Bureau of Justice Statistics (BJS) presents *Crime and the Nation's Households, 2003*, which features national estimates for the percentage of households with one or more persons victimized by crime as measured by the National Crime Victimization Survey. Information is provided on homes experiencing violent and property crimes, vandalism, and intimate partner violence. Findings are presented by race; region; type of location (urban, suburban, or rural); and household size. Overall trends since 1994 are included and comparisons with 2002 are made. Highlights include the following: between 2002 and 2003, the percentage of homes experiencing crimes (about 15 percent) did not change significantly; in 2003, about 3 in 1,000 households included a member victimized by an intimate partner, such as a current or former spouse, boyfriend, or girlfriend; and in 2003, about 1 in every 26 homes was either burglarized or had a member aged 12 or older who experienced a violent crime committed by a stranger. This report is available electronically at <http://www.ojp.usdoj.gov/bjs/pub/pdf/cnh03.pdf> or by contacting the National Criminal Justice Reference Service at 800-851-3420.

## Web-Based Resources

The Police Assessment Resource Center (PARC) supports the wide spectrum of people who perform police oversight—those inside law enforcement, such as police executives and administrators of internal affairs units and risk management bureaus, and those outside, such as government officials, court-appointed monitors, inspectors general, police commissioners, and review board members. PARC provides resources, advice, and assistance to those who have responsibilities to their communities or constituents in dealing with the consequences of police misconduct. Its Web site, <http://www.parc.info>, includes an overview of the center, descriptions of its current projects, publications and reports, a staff list, upcoming events, and related links.

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## Corrections

*Profile of Nonviolent Offenders Exiting State Prisons* provides a description of the general characteristics of prison populations serving time for nonviolent crimes (property, drug, and public order offenses not involving a threat of harm or an actual attack upon a victim) as they exit state facilities. To conduct this analysis, the Bureau of Justice Statistics used information collected under the National Recidivism Reporting Program, which last collected data on those discharged from prisons in 15 states in 1994, and the Survey of Inmates in State Correctional Facilities, last conducted in 1997. The report examines the responses of inmates who indicated to interviewers that they expected release within 6 months. This publication is available online at <http://www.ojp.usdoj.gov/bjs/pub/pdf/pnoesp.pdf> or by contacting the National Criminal Justice Reference Service at 800-851-3420.

## Police Wellness

*Tired Cops: The Prevalence and Potential Consequences of Police Fatigue* reports on a study that examined the prevalence and effects of officer fatigue, exhaustion, and extreme drowsiness and their impact on performance, health, and safety to identify effective strategies for measuring fatigue among law enforcement personnel and to better understand its widespread effects on officers in the field. This report is available online at <http://www.ncjrs.org/pdffiles1/jr000248d.pdf>.

**Bulletin Reports** is an edited collection of criminal justice studies, reports, and project findings. Send your material for consideration to: *FBI Law Enforcement Bulletin*, Room 201, Madison Building, FBI Academy, Quantico, VA 22135. (NOTE: The material in this section is intended to be strictly an information source and should not be considered an endorsement by the FBI for any product or service.)



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# ***Use of Force, Civil Litigation, and the Taser***

## ***One Agency's Experience***

By STEVE HOUGLAND, Ph.D., CHARLIE MESLOH, Ph.D., and MARK HENYCH, Ph.D.



**L**aw enforcement's mission—to maintain peace and order—is a tenuous one complicated by a myriad of factors that seem unique to every situation officers must handle, whether quelling a disturbance or apprehending a suspect. This being the case, officers of the law sometimes are required to use force in the course of their duties, whether during an arrest or

while protecting citizens, themselves, or other officers from harm. This force, when legitimately and properly applied, represents an essential element in maintaining an ordered society.

### **THE PROBLEM**

Use of force has tremendous implications for law enforcement officers and their agencies. Some of the unintended

consequences may include civil disturbances, riots, property damage, political jeopardy, and civil liability for all interested parties.<sup>1</sup> Thus, use of force frequently may impact the development of public policy and how it is administered in practice. Current public policy requires officers in the field to use the minimum amount of force necessary to effect an arrest or quell a disturbance.

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However, even when such uses of force are ruled justifiable, they still, nonetheless, are subject to litigation, which appears to be on the rise.

A common theme in the extant literature concerning lawsuits against the police is that citizens are filing such legal actions more than ever before. Due to a number of court decisions, the litigious contemporary society, and a trend of holding public officials more accountable for their actions, lawsuits against the police have continued to rise since 1961.<sup>2</sup> According to the National Center for State Courts, between 1984 and 2000, the number of lawsuits filed nationally increased 40 percent in some courts and 21 percent in others.<sup>3</sup> It ranked Florida fourth nationally behind only California, Texas, and New York in total number of civil filings for 2000. And, between 1975 and 2000, the center reported that the number of torts filed in Florida Circuit Courts doubled. Other research has contended that police administrators and local government units are plagued by the likelihood of lawsuits and should expect this trend to continue.<sup>4</sup>

Contributing factors include legal and social changes over the past 20 years that have made lawsuits against the police more commonplace.<sup>5</sup> The growth of civil litigation against the police

is attributed to two North American trends: 1) higher standards of accountability for public institutions and 2) an increasing willingness on the part of the public to file lawsuits. Society as a whole expects law enforcement to be more accountable, and legal changes have broadened the definition of police negligence. Law enforcement's response has varied, from adding new or rewriting existing policies to hiring full-time lawyers on staff. These responses, however, have failed to reduce the number of lawsuits filed against the police.

The city of Miami, Florida, has paid more than \$19 million in civil liability claims to constituents since 1990 to resolve more than 110 federal and state

lawsuits for actions by its officers.<sup>6</sup> This figure, however, represents a conservative estimate as another 70 currently are pending. Less quantifiable costs of lawsuits include salaries for legal staff; legal fees paid to outside lawyers; and other costs, such as court reporters and copying charges. Lawsuits fall into five general categories: false arrest, excessive force, shootings, wrongful death, and federal civil rights violations.<sup>7</sup> The city has responded by changing procedures to improve documentation of events and increasing training for its officers.

Some agree that lawsuits and associated verdicts against officers across the country are growing.<sup>8</sup> For many decades,



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*Dr. Mesloh, a former law enforcement officer, currently is an assistant professor at Florida Gulf Coast University in Fort Myers.*

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*Dr. Henych works with a private research firm in Orlando, Florida.*



juries were predisposed to believe the police. High-profile incidents that cast the law enforcement profession in a negative light, however, have increased the public's skepticism. Those events, as well as the increased use of handheld video cameras by citizens, have contributed to jurors holding law enforcement officers increasingly accountable for personal injuries, deaths, and civil rights violations. The trend of disbelieving the police also appears to have led to swifter and larger pretrial settlements.

One study traced the evolution of lawsuits against the police and attributed their rise to several court decisions stemming from the 1960s, 1970s, and 1980s that effectively peeled away the layers of protection afforded individual officers, their supervisors, law enforcement agencies, and

municipalities. This, in turn, opened the door for a dramatic increase in the number of lawsuits filed against the police and in the resultant monetary awards, with the amount of damages reaching as high as \$42 million.<sup>9</sup> One example lies in the U.S. Supreme Court decision of 1971 regarding Webster Bivens, wherein a search of his apartment was considered unconstitutional, thus allowing the officers to be held personally accountable for a constitutional tort.<sup>10</sup> As for monetary settlements, "the average award for the wrongful death of an adult male reached an all-time high of \$3.5 million in 2000."<sup>11</sup> With so much at stake, research in this area will continue to be not only a worthwhile endeavor but also a necessary tool for criminal justice agencies to make sound policy decisions.

The public's perception of the law enforcement community historically has been negatively impacted by the profession's use of force.<sup>12</sup> As the perceived level of force increases, public support significantly decreases. This reiterates the supreme importance of the development of policy because it frequently comes under public scrutiny, more often than not as a result of a use-of-force incident. While a substantial amount of literature on police use of deadly force exists, much less attention has been given to less lethal force. Use of force is the core role of policing and is the "distribution of nonnegotiated coercive remedies."<sup>13</sup> This force can take several forms, including "a simple verbal command or a light touch on the arm to encourage someone to move along or comply with an order, the use of a baton or Mace to control an individual, the use of the carotid restraint, or the use of deadly force."<sup>14</sup>

One problematic aspect of law enforcement involves dealing with individuals or groups where more than a show of force is required, yet deadly force is not the appropriate method of resolution.<sup>15</sup> To fill this gap, many agencies have turned to the development and use of less lethal technology. According to the British Home Office, less lethal technology "is a term carefully defined to

encompass weapons and equipment, which, although less likely than firearms to result in a serious or fatal injury, nevertheless carry some degree of risk.”<sup>16</sup> The growing unacceptability of deaths and injuries caused by or inflicted on law enforcement officers require new ways of handling conflict situations. Innovations in technology in the realm of less lethal weapons have become a significant part of the response to this trend.<sup>17</sup> One popular response has been the implementation of the Taser.

#### **TASER AS AN ALTERNATIVE**

The Taser (Thomas A. Swift’s Electric Rifle)

administers an electric charge that causes muscular dysfunction and temporarily incapacitates a suspect. An officer can fire two darts from the pistol-like weapon, causing 50,000 volts of electric current to pass into the subject’s body.<sup>18</sup> The darts can reach from 15 to 21 feet. Early studies indicated that this weapon’s effectiveness ranged from 50 to 85 percent.<sup>19</sup> However, significant improvements in design appear to have increased the weapon’s effectiveness significantly because it does not rely on the conventional pain compliance approach of police tactics.<sup>20</sup> Currently, several models of the Taser with varying power levels exist in the law enforcement marketplace.

#### **Rise in the Use of Taser**

Today, 5,400 law enforcement agencies employ this electro-muscular device as a less lethal weapon.<sup>21</sup> The state of Florida has followed this trend. In the Orlando area alone, the majority of the law enforcement agencies, including the University of Central Florida Police Department, employ this technology.

In the Orange County Sheriff’s Office (OCSO), the rise in the application of the Taser has been dramatic. Since its implementation in 2000, it has become the agency’s most frequently used less lethal weapon. For example, chemical agents, physical force, and impact weapons accounted for

**Breakdown of Weapons**

Weapon Type	2001		2002		2003	
	No.	Percent	No.	Percent	No.	Percent
Chemical agent	221	41.9	103	14.1	51	7.76
Physical force	52	9.87	49	6.73	29	4.41
Impact weapon	13	2.47	8	1.10	13	1.98
Firearm	4	0.76	0	0.00	9	1.37
Impact munitions	2	0.38	0	0.00	3	0.46
K9	48	9.11	57	7.83	67	10.2
Taser	228	43.3	535	73.5	510	77.63
Total uses of force	527		728		657	

*Note: Weapon type does not add to total uses of force because more than one weapon may have been employed in the incidents.*

*Source: Orange County, Florida, Sheriff’s Office*



less than 13 percent of the weapons used in 2003, while Taser use rose to almost 78 percent. This is important to note because the other less lethal tools were available, yet officers chose the Taser. Although no current studies exist that explain this shift, it seems that officers may have perceived the Taser as more effective and less likely to cause injury.<sup>22</sup> An analysis by OCSO reported a reduction of 50 percent in officer injuries, as well as 23 incidents where officers did not have to use deadly force to bring a confrontational situation to a peaceful resolution.

OCSO policy allows Taser use at a level three (passive physical) resistance, such as when a subject refuses to comply with a verbal command. However, the agency noted only a small number of

deployments at this level. This begs the question: Is the Taser an appropriate response to a level three threat?<sup>23</sup>

The majority (69 percent) of OCSO Taser deployments occurred in response to level four (active physical) resistance. This suggested that officers might not have believed that the Taser was an appropriate response to level three (passive physical) resistance, but, instead, most advisable in situations involving level four (active physical) resistance. Unexpectedly and of great importance, 18 Taser deployments by OCSO personnel in 2003 took place when suspect resistance merited the use of deadly force, authorized both by law and OCSO policy. It remained unclear whether these deployments were a result of conscious decision or by

opportunity (i.e., already having a Taser drawn), but they certainly warrant further research. Clearly, even in deadly force situations, officers considered the Taser an effective weapon. This bodes well for law enforcement professionals who, along the same line as medical doctors, take an oath to protect lives, not take them.

### Recent Research

In an attempt to examine student perceptions of local law enforcement and its effectiveness, the University of Central Florida Police Department conducted a study in the spring of 2004 as part of its annual assessment of services. The study included key questions examining student perceptions of the use of force, including less lethal weapons.<sup>24</sup>

The researchers obtained a total of 1,200 completed surveys from the student population of approximately 41,000. In addition to the basic assessment of service, a number of questions relating to the appropriateness of specific less lethal force responses to a hypothetical law enforcement encounter were offered. One example stated, "A suspect violently resists arrest and attempts to injure law enforcement officers. How appropriate are the following responses on the part of the police?" The students reviewed

#### Taser Deployments by Level of Resistance

	No.	Percent
Level three: passive physical	31	6
Level four: active physical	332	69
Level five: aggressive physical	100	21
Level six: deadly force	18	4
Total Incidents	481	

Source: Orange County, Florida, Sheriff's Office

the options and selected a number on the scale of 1 (very appropriate) to 9 (very inappropriate) that best reflected their opinions or checked a box indicating their unfamiliarity with the particular weapon employed in the scenario.

Perceptions toward less lethal weapons varied considerably. Students tended to consider the use of Mace and the Taser as more acceptable when compared against other less lethal force options. Surprisingly, this seemed to support the placement of the Taser at a level three resistance category, which remained consistent with its application by the OCSO. The

researchers could not determine why students viewed other force options in a negative light. It may result from cultural or psychological perceptions that the “hands-on” approach, either with baton or empty hand, may possibly inflict more serious injuries. This finding will require additional study.

## CONCLUSION

In this time of community-oriented policing, the use of less lethal technology clearly is the most socially acceptable and humane means of maintaining peace and order. In the event

as a proverbial “magic bullet,” which has the ability to solve a wide range of law enforcement’s problems.

Along with the rise in the use of the Taser, however, comes criticism. Because a

number of suspects have died in custody after a Taser deployment, agencies must acknowledge the limitations and inherent liability associated with the technology, despite its ability to reduce deadly force scenarios and confrontations to less lethal engagements and situations. While this effective tool offers more flexibility to the officer in the field, it also carries the same potential hazards

### Student Perceptions of Less Lethal Weapons

<u>Weapon</u>	<u>No.</u>	<u>Mean</u>	<u>Median</u>
Mace	1,112	3.33	3.0
Taser	1,090	3.66	3.0
Dog trap	1,102	4.18	4.0
Choke hold	1,098	4.47	4.0
Baton	1,104	4.47	4.0
Beanbag	1,006	4.55	4.0
Empty hand	1,109	4.57	5.0
Dog bite	1,113	5.58	6.0

*Note: Mean scores do not correspond to force continuum resistance levels. Response categories range from 1 (very appropriate) to 9 (very inappropriate).*

*Source: University of Central Florida Police Department Student Assessment (2004).*

that officers employ less lethal technology and an injury results, the least offensive type of injury would be one of minimal severity. The use of the Taser and its placement on the force continuum appears consistent with public perception and law enforcement application. Both seem to view this technology

of chemical and impact weapons and, thus, the need for appropriate officer restraint.

While current studies have provided a degree of justification for a number of policy choices, substantial quantitative research must occur for proper policy analysis on this complex issue. This article constitutes a

precursor to future less lethal research findings that the authors currently are examining. They hope that their endeavors will offer insight to the nuances of the force continuum and the resulting impact on law enforcement officers and their agencies. ♦

#### Endnotes

<sup>1</sup> Mark Blumberg, "Police Use of Deadly Force: Exploring Some Key Issues," in Thomas Barker and David Carter, *Police Deviance* (Cincinnati, OH: Anderson Publishing, 1993).

<sup>2</sup> J. Bell, "Lawsuits Against Police Rising," *The Hamilton Spectator* (Ontario, Canada), April 18, 2001, sec. A, p. 8; D. Christensen, "Blood Money," *Miami Daily Business Review*, November 15, 2001, sec. A, p. 1; M. Fisk, "Juries Turning Sour Toward Police," *Broward Daily Business Review*, July 5, 2001, sec. A, p. 12; and C. McCoy, "Lawsuits Against the Police—What Impact Do They Really Have?" *Criminal Law Bulletin* 20, no. 1 (1983): 49-56.

<sup>3</sup> B. Ostrom, N. Kauder, and R. LaFountain, *Examining the Work of State Courts, 2001: A National Perspective from the Court Statistics Project* (Williamsburg, VA: National Center for State Courts, 2001).

<sup>4</sup> D. Ross, "Emerging Trends in Police Failure to Train Liability," *Policing: An International Journal of Police Strategies and Management* 23, no. 2 (2000): 169-193; A.R. Stafford, "Lawsuits Against the Police: Reasons for the Proliferation of Litigation in the Past Decade," *Journal of Police and Criminal Psychology* 2, no. 1 (1986): 30-34; and R. Worrall, "Administrative Determinants of Civil Liability Lawsuits Against Municipal Police Departments: An Exploratory Analysis,"

*Crime and Delinquency* 44, no. 2 (1998): 295-313.

<sup>5</sup> Supra note 2 (Bell).

<sup>6</sup> Supra note 2 (Christensen).

<sup>7</sup> Supra notes 2 (Christensen) and 4 (Ross); and M.R. Smith, "Integrating Community Policing and the Use of Force: Public Education, Involvement, and Accountability," *American Journal of Police* 13, no. 4 (1994).

<sup>8</sup> Supra note 2 (Fisk).

<sup>9</sup> Supra note 2 (McCoy).

<sup>10</sup> 403 U.S. 388 (1971).

**"The use of the Taser and its placement on the force continuum appears consistent with public perception and law enforcement application."**

<sup>11</sup> *Cincinnati Enquirer*, June 23, 2002; retrieved on August 5, 2004, from [http://www.enquirer.com/editions/2002/06/23/loc\\_settlements\\_in.html](http://www.enquirer.com/editions/2002/06/23/loc_settlements_in.html).

<sup>12</sup> Supra note 7 (Smith); A. Pate and L. Fridell, Police Foundation, *Police Use of Force: Official Reports, Citizen Complaints, and Legal Consequences* (Washington, DC, 1995); and P. Montgomery, "Anger Long Is Rising Among Miami Blacks," *New York Times*, May 19, 1980, sec. A., p. 1.

<sup>13</sup> E. Bittner, National Institute of Mental Health, *The Functions of the Police in Modern Society* (Chevy Chase, MD, 1970), 36.

<sup>14</sup> K. Peak, *Justice Administration: Police, Courts, and Corrections Management* (New York, NY: Prentice Hall, 2000), 248.

<sup>15</sup> National Institute of Justice, National Security Research, Inc., *Department of Defense Nonlethal Weapons and Equipment Review: A Research Guide for Civil Law Enforcement and Corrections* (Washington, DC, 2002); retrieved on June 29, 2004, from <http://www.ncjrs.org/pdffiles1/nij/grants/200516.pdf>.

<sup>16</sup> T. Donnelly, *Less Lethal Technologies Initial Prioritization and Evaluation* (Hertfordshire, UK: Police Scientific Development Branch, 2001), 1.

<sup>17</sup> B. Rappert, *Nonlethal Weapons as Legitimizing Forces? Technology, Politics, and the Management of Conflict* (London, UK: Frank Cass Publishers, 2003).

<sup>18</sup> D. Laur, Canadian Police Research Center, *Taser Technology Research Paper* (Victoria, BC, 2000).

<sup>19</sup> Supra note 16.

<sup>20</sup> Supra note 18; and Taser International Web site at <http://www.taser.com>.

<sup>21</sup> Taser International; retrieved on August 5, 2004, from <http://www.taser.com/pages/pr/pr.html>.

<sup>22</sup> The authors recognize that controversy recently has arisen regarding safety issues surrounding Taser use. However, such concerns fell outside the parameters of their research, which focused primarily on the type of force used, deadly versus less lethal, in response to the level of resistance.

<sup>23</sup> Recently, a number of chiefs of police in Orange County decided to raise the level of resistance from three to four for Taser use. See Pedro Ruz Gutierrez, "Taser Use Reined in by Policy Changes: Bar Raised on When to Use Stun Guns," *Orlando Sentinel*, July 15, 2004, sec. B, p.1.

<sup>24</sup> In some cases, OCSO provides service to the University of Central Florida, which is located in Orange County.

**Officer-Involved Shootings and Use of Force: Practical Investigative Techniques** by David E. Hatch, CRC Press, Washington, D.C., 2003.

*Officer-Involved Shootings and Use of Force: Practical Investigative Techniques* provides investigators and administrators at all levels of the criminal justice system with state-of-the-art model policies and investigative protocol techniques for conducting an effective and well-documented investigation of shooting incidents involving law enforcement personnel. The book, a comprehensive compilation of experiences, includes case studies supported by well-thought-out documentation. It allows concerned agencies at all levels in the criminal justice system to improve existing policies and procedures or to use the contents of the book and its models as a benchmark to check established investigative techniques.

The book contains an outstanding presentation of guidelines, authority, and assignment responsibility to establish the best organizational team structure to investigate shootings, use-of-force incidents, in-custody deaths, and other high-profile events involving law enforcement members. The author sets forth an exemplary protocol concerning incident scene investigation of deceased, injured, and uninjured suspects and witnesses, as well as the proper techniques of interviewing and protecting an involved employee's welfare and civil rights.

In addition, the book offers an outstanding chapter on investigating forced and assisted suicide incidents laced with strategies for crisis negotiators and first responders. A model of a community review board is included for review or adoption by those local boards attempting to create a policy or update an

existing one. The author also provides information on alternatives to the use of deadly force supported with a case study.

A model policy is likewise presented involving shooting incidents requiring a multi-jurisdictional investigation, including venue determination, legal representation, team composition, evidence retention, required documentation, administrative reviews, and presentation to the prosecutor. Further, excellent information is supplied for jurisdictions on proper responding to and handling of the media, as well as an excellent model on responding to post-traumatic stress disorders concerning law enforcement members. Strong points of the book include, but are not limited to, the various contained models and templates that can be written and tailored to any law enforcement level in all jurisdictions and a use-of-force continuum model for investigations assisted by a comprehensive outlined policy of an overall incident investigation.

Content in *Officer-Involved Shootings and Use of Force: Practical Investigative Techniques* can apply to all city, county, state, and federal law enforcement jurisdictions, including their direct and indirect support functions in the criminal justice system. It is a book of high concern with critical information and models that investigators, administrators, in-service and academy training development members, and policy and procedure writers will find extremely useful.

Reviewed by  
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# *FBI Law Enforcement Bulletin*

## Author Guidelines

### GENERAL INFORMATION

The *FBI Law Enforcement Bulletin* is an official publication of the Federal Bureau of Investigation and the U.S. Department of Justice.

**Frequency of Publication:** Monthly.

**Purpose:** To provide a forum for the exchange of information on law enforcement-related topics.

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### MANUSCRIPT SPECIFICATIONS

**Length:** Feature articles should contain 2,000 to 3,500 words (8 to 14 pages, double-spaced). Submissions for specialized departments, such as Police Practice and Case Study, should contain 1,200 to 2,000 words (5 to 8 pages, double-spaced).

**Format:** Authors should submit three copies of their articles typed and double-spaced on 8 1/2-by 11-inch white paper with all pages numbered. An electronic version of the article saved on computer disk should accompany the typed manuscript. Authors also may e-mail articles.

Authors should supply references when quoting a source exactly, citing or paraphrasing another person's work or ideas, or referring to information that generally is not well known. For proper footnote format, authors should refer to *A Manual for Writers of Term Papers, Theses, and Dissertations*, 6th ed., by Kate L. Turabian.

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Authors also should contact the *Bulletin* staff or access <http://www.fbi.gov/publications/leb/>

leb.htm for the expanded author guidelines, which contain additional specifications, detailed examples, and effective writing techniques.

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## The Bulletin Notes

Law enforcement officers are challenged daily in the performance of their duties; they face each challenge freely and unselfishly while answering the call to duty. In certain instances, their actions warrant special attention from their respective departments. The *Bulletin* also wants to recognize those situations that transcend the normal rigors of the law enforcement profession.



Officer Bennett



Officer Bewersdorf

While conducting a traffic stop, Officer Rex Bennett of the Beaverton, Oregon, Police Department watched a pickup truck cross a nearby intersection, leave the roadway, and stop with the engine racing and the tires spinning in the mud in the front yard of a residence. Officer Bennett immediately radioed that a crash occurred and ran to the truck, where he found a middle-aged man unconscious behind the wheel. After finding no pulse or evidence of breathing, he quickly pulled the driver out of the vehicle and onto the ground. Then, Officer Bennett and newly arrived

Officer Michael Bewersdorf administered CPR until rescue personnel arrived, who worked to restore the victim's heart rhythm after determining that he had gone into full cardiac arrest. The quick and professional actions of Officers Bennett and Bewersdorf helped the man make a full recovery.



Officer Shows



Officer Pauley

Early one morning while on patrol, Officer Robert Shows of the Rittman, Ohio, Police Department observed a residence's rear porch engulfed in flames. Officer Shows immediately called for backup and the fire department and then attempted to extinguish the blaze with a garden hose, but could not get close enough to the fire. Then, Officer Shows and newly arrived Officer Roger Pauley broke through the front door and yelled for occupants, waking a male resident who advised that his invalid mother-in-law was upstairs with him and that his dog was in the basement.

Officer Shows rushed upstairs, wrapped the elderly woman in a blanket, and carried her out of a second story window and onto the front porch roof because thick smoke prevented him from going back downstairs. He then helped her son-in-law onto the roof and waited with them for the fire department. Officer Pauley saved the family dog from the basement and, unable to get upstairs to assist Officer Shows, ran outside and helped the firemen locate and rescue Officer Shows and the two victims. The officers' brave actions saved the lives of two people and their cherished pet..



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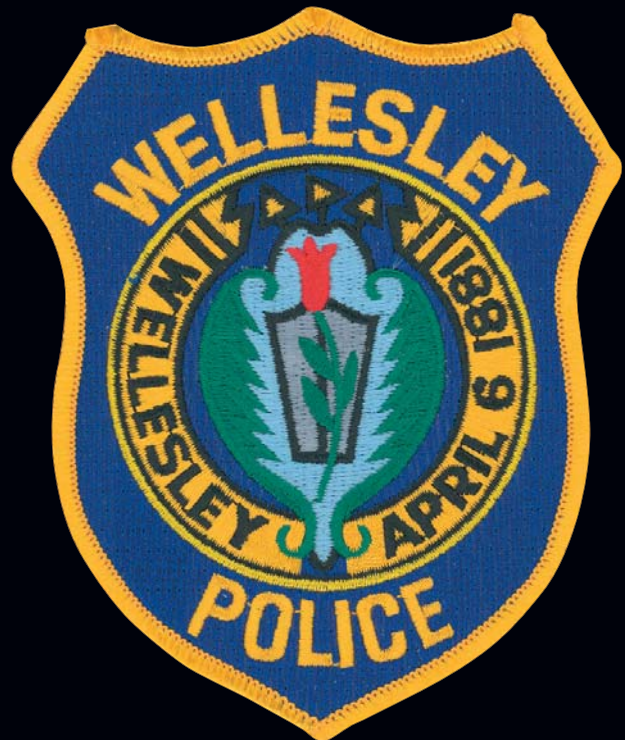
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## Patch Call



The patch of the Acadia Parish, Louisiana, Sheriff's Office features symbols representing Louisiana State University at Eunice and the area's corn, rice, cattle, agribusiness, and oil and gas industries. At the center is an outline of Acadia Parish.



The patch of the Wellesley, Massachusetts, Police Department features the town seal, which includes two arrows and a tomahawk representing the Maugus and Nehoiden Indians; an open book symbolizing Wellesley College; and a flower honoring the world-renowned gardens of the town's benefactor.